

2016

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

---

(As presented)

(Minister for the Environment and Climate Change)

# Renewable Energy Legislation Amendment Bill 2016

## Contents

---

		Page
<b>Part 1</b>	<b>Preliminary</b>	
1	Name of Act	2
2	Commencement	2
3	Legislation amended	2
<b>Part 2</b>	<b>Climate Change and Greenhouse Gas Reduction Act 2010</b>	
4	ACT greenhouse gas emissions target Section 6 (1)	3

---

J2016-205

Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

Contents

---

	Page
5 Interim greenhouse gas emissions targets Section 7 (1)	3
<b>Part 3 Electricity Feed-in (Large-scale Renewable Energy Generation) Act 2011</b>	
6 FiT capacity Section 9	4
7 New section 26	4
8 New schedule 1	6

2016

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

---

(As presented)

(Minister for the Environment and Climate Change)

# Renewable Energy Legislation Amendment Bill 2016

---

## A Bill for

An Act to amend the *Climate Change and Greenhouse Gas Reduction Act 2010* and the *Electricity Feed-in (Large-scale Renewable Energy Generation) Act 2011*, and for other purposes

---

The Legislative Assembly for the Australian Capital Territory enacts as follows:

---

J2016-205

Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

1 **Part 1 Preliminary**

2 **1 Name of Act**

3 This Act is the *Renewable Energy Legislation Amendment Act 2016*.

4 **2 Commencement**

5 This Act commences on the day after its notification day.

6 *Note* The naming and commencement provisions automatically commence on  
7 the notification day (see [Legislation Act](#), s 75 (1)).

8 **3 Legislation amended**

9 This Act amends the *Climate Change and Greenhouse Gas*  
10 *Reduction Act 2010* and the *Electricity Feed-in (Large-scale*  
11 *Renewable Energy Generation) Act 2011*.

---

1 **Part 2** **Climate Change and Greenhouse**  
2 **Gas Reduction Act 2010**

3 **4 ACT greenhouse gas emissions target**  
4 **Section 6 (1)**

5 *omit*

6 30 June 2060

7 *substitute*

8 30 June 2050

9 **5 Interim greenhouse gas emissions targets**  
10 **Section 7 (1)**

11 *substitute*

- 12 (1) The *interim target* is to reduce greenhouse gas emissions in the  
13 ACT to 40% less than 1990 emissions by 30 June 2020.

1 **Part 3** **Electricity Feed-in (Large-scale**  
2 **Renewable Energy Generation)**  
3 **Act 2011**

4 **6** **FiT capacity**  
5 **Section 9**

6 *omit*

7 550MW

8 *substitute*

9 650MW

10 **7** **New section 26**

11 *insert*

12 **26** **Electricity Feed-in (Large-scale Renewable Energy**  
13 **Generation) FiT Capacity Release Determination 2016**  
14 **(No 2)—sch 1**

15 (1) The provisions set out in schedule 1 are taken, on the  
16 commencement of this section, to be a determination made under  
17 section 10 (FiT capacity release).

18 (2) To remove any doubt and without limiting subsection (1), the  
19 determination may be amended or repealed as if it had been made  
20 by the Minister under section 10.

21 (3) Also to remove any doubt, the determination is taken—

22 (a) to have been notified under the [Legislation Act](#) on the day the  
23 *Renewable Energy Legislation Amendment Act 2016* is  
24 notified; and

25 (b) to have commenced on the commencement of the *Renewable*  
26 *Energy Legislation Amendment Act 2016*; and

- 1                   (c) not to be required to be presented to the Legislative Assembly  
2                                   under the [Legislation Act](#), section 64 (1).
- 3           (4) Section 10 (4) and section 11 (3) do not apply to the determination.
- 4           (5) Subsections (1) to (4) are laws to which the [Legislation Act](#),  
5                   section 88 (Repeal does not end effect of transitional laws etc)  
6                   applies.
- 7           (6) This section and schedule 1 expire on the day they commence.

1 **8 New schedule 1**

2 *insert*

3 **Schedule 1 New FiT Capacity Release**  
4 **Determination**

5 (see s 26)

6 Australian Capital Territory

7 **Electricity Feed-in (Large-scale**  
8 **Renewable Energy Generation) FiT**  
9 **Capacity Release Determination 2016**  
10 **(No 2)**

11 **Disallowable instrument DI2016–**

12 made under the

13 **Electricity Feed-in (Large-scale Renewable Energy Generation) Act 2011,**  
14 **section 10 (FiT capacity release)**

---

15 **1 Name of instrument**

16 This instrument is the *Electricity Feed-in (Large-scale Renewable*  
17 *Energy Generation) FiT Capacity Release Determination 2016*  
18 *(No 2)*.



---

## 2 Determination of FiT capacity release

(1) I determine that—

(a) a FiT capacity release of 91MW is to be made available for the grant of FiT entitlements; and

(b) the release is to be made available by competitive process or direct grant; and

(c) the minimum capacity of a large renewable energy generator's generating system in relation to which a FiT entitlement may be granted under the release is to be 9MW; and

(d) for a FiT entitlement that may be granted under the release—

(i) the term is to be 20 years; and

(ii) 1 or more of the following renewable energy sources must be used:

(A) wind;

(B) solar;

(C) an energy source declared by the Minister under the Act, section 6 to be a renewable energy source; and

(iii) large renewable energy generators must be located in—

(A) the Australian capital region; or

(B) a participating jurisdiction.

*Note 1* **Participating jurisdiction**—see the *National Electricity (ACT) Law*, s 2.

*Note 2* Terms used in this disallowable instrument have the same meaning that they have in the *Electricity Feed-in (Large-scale Renewable Energy Generation) Act 2011* (see *Legislation Act*, s 148.) For example, the following terms are defined in the Act, dict:

- Australian capital region
- capacity, of a generating system (see s 7)
- FiT capacity (see s 9)

- 1 • FiT capacity release (see s 10 (1))
  - 2 • FiT entitlement (see s 8)
  - 3 • large renewable energy generator (see s 6).
- 

## Endnotes

**1 Presentation speech**

Presentation speech made in the Legislative Assembly on 3 May 2016.

**2 Notification**

Notified under the [Legislation Act](#) on 2016.

**3 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

---